



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,826	10/22/2001	Gerhard Bock	112740-294	8650

29177 7590 09/24/2003

BELL, BOYD & LLOYD, LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

ENG, GEORGE

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 09/24/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,826

Applicant(s)

BOCK ET AL.

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Preliminary Amendment

1. The preliminary amendment filed on 10/22/2001 (paper no. 5) has been entered. Accordingly, claims 1-4 are canceled and claims 5-8 are pending for examination. In addition, the substitute specification has been entered.

Information Disclosure Statement

2. The information disclosure statement filed 10/22/2001 (paper no. 4) has been considered.

Specification

3. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

4. The disclosure is objected to because of the following informalities: it would be more clarify if applicant submits a clean version of the substitute specification.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spalthoff (DE 3827928 A1) in view of Okuaki (JP 11-284986 A).

Regarding claim 5, Spalthoff discloses a video telephone system for performing a surveillance method comprising the steps of using a video mobile part with a camera (4, figure 1) for surveillance, checking a current recorded image for changes, triggering an alarm and dialing a surveillance center in an event of a predetermined difference in the currently recorded image (abstract). Spalthoff differs from the claimed invention in not specifically teaching the video telephone system connecting a base station to a communication network in a wireless environment for transmitting immediately an alarm triggering image from the mobile part to the base station so that the base station stores the alarm-triggering image at least until being output to the communication network. However, Okuaki teaches a supervisory system for transmitting an alarm-triggering image from a supervisory terminal (i.e., 3a, figure 1) to a base station (7 figure 1) in a wireless environment, wherein the base station is connected to a communication network

Art Unit: 2643

and the base station includes a memory unit for storing the alarm-triggering image at least until being output to the communication network in order to reduce communication cost (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Spalthoff in connecting the base station to a communication network in a wireless environment for transmitting immediately an alarm triggering image from the mobile part to the base station so that the base station stores the alarm-triggering image at least until being output to the communication network, as per teaching of Okuaki, because it reduces communication cost.

Regarding claims 6-7, Spalthoff discloses the currently recorded image being checked in the video mobile part (abstract). Although Spalthoff does not specifically teach the currently recorded image being checked in the base station, Okuaki teaches a supervisory system for transmitting an alarm-triggering image from a supervisory terminal (i.e., 3a, figure 1) to a base station (7 figure 1) in a wireless environment, wherein the base station includes a memory unit for storing the alarm-triggering image at least until being output to the communication network in order to reduce communication cost (abstract) so that it recognizes to shift the checking process to the base station in order to reduce work load in the video mobile part.

Regarding claim 8, Okuaki discloses the camera including image recording sensor for an infrared range (abstract).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Arazi et al. (US PAT. 6,330,025) discloses a video logging system for storing

Art Unit: 2643

digitally formatted input from a plurality of video input devices and selectively providing the digitally formatted input to an output apparatus (abstract). Kim (US PAT. 6,287,884) discloses a portable cellular phone incorporated a security alarm system for sending intrusion pictures to a remote central office for processing (col. 2 line 40 through col.4 line 26). Tracy (US PAT. 6,163,257) discloses a security system for providing visual verification of false alarm (abstract). Roth (US PAT. 5,406,324) discloses an image transmission surveillance system using a radio communication (abstract).

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

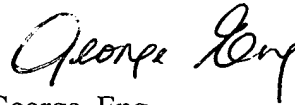
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Art Unit: 2643

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read "George Eng". The signature is written in a cursive, flowing style.

George Eng

Examiner

Art Unit 2643